



## Phillips Lytle LLP

**Via FOIA Online and U.S. Mail**

National Freedom of Information Officer  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (2822T)  
Washington, DC 20460

February 28, 2018

**Re: Freedom of Information Act Request**

Dear Sir/Madam:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, we respectfully request that the United States Environmental Protection Agency ("EPA") make available for review any and all records or portions thereof, containing, referencing or pertaining to correspondence or communications, including associated attachments, between EPA attorneys, project personnel, or other EPA staff and the following individuals or entities between January 1, 2015 and February 27, 2018:

1. Harter Secrest & Emery LLP;
2. John G. Horn;
3. Paul D. Sylvestri;
4. Thomas M Touri;
5. Daniel J. Altieri;
6. Gregory P. Scholand;
7. The Stamm Law Firm;
8. Brian G. Stamm;
9. Bradley J. Stamm;

We request the foregoing records to the extent that they reference or pertain to the following:

1. property or properties at or near 5401 Roberts Avenue, Lewiston, New York, associated with radionuclide contamination, including EPA ID No. NYN000206698;
2. property or properties at or near 9524-9540 Niagara Falls Boulevard, Niagara Falls, New York associated with radionuclide contamination, including CERCLIS ID NYN000206699;
3. radioactive contamination in the Niagara Falls, New York region;

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4. active or potential lawsuits concerning radioactive contamination in the Niagara Falls region; and
5. state and federal agency efforts to identify responsible parties associated with radioactive contamination in the Niagara Falls region.

We will pay any reasonable fee provided for in the FOIA and associated with reproducing the requested records; however, if the costs exceed one hundred dollars (\$100.00) please contact me with an estimate prior to incurring such costs.

As you are aware, the FOIA requests that an agency respond to a written request within twenty (20) business days of receipt of a request. Thus, we would appreciate a response as soon as possible. If, for any reason, any portion of this request is denied, please inform me of the reasons for the denial, in writing, together with the name and address of the person or body of whom to direct an appeal.

Thank you in advance for your courtesies in this regard.

Very truly yours,

Phillips Lytle LLP

By

  
Patrick T. Fitzgerald